FARAD CONSTITUTION SHEET NO.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE,
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.1745/2006

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's orders.	Court's or Judge's Orders

CORAM:- A.B. CHAUDHARI, J.
DATED :- 30.04.2007.

Heard Shri J.P. Kothari, learned Counsel for petitioner and Shri J.T. Gilda, learned Counsel for respondent.

Seen the issues framed in Special Civil Suit Nos. 244/2000 and 197/2000. Having heard Counsel for the parties and having seen the issues coupled with the adjournments which the petitioner has obtained from the Trial Court and the subject matter of the two suits, I find that the Trial Court has rightly refused to stay Spl.C.S. No. 244/2000 on the grounds raised by the petitioner in his application.

Shri Kothari, learned Counsel, however, submitted that this Court in its order dated 13.3.2007 has observed that the joint trial of both the suits would subserve the interest of justice. Without commenting any more, I leave it

to the petitioner to take whatever steps are available in law to him.

In view of this, I find that the impugned order does not suffer from any jurisdiction. The petition is, therefore, rejected. No order as to costs. The Trial Court may expedite hearing of the suits in view of the old age of the respondent.

JUDGE

ssw